

RESOLUTION NO. 17, SERIES 2013

A RESOLUTION AMENDING THE DECLARATION OF LOCAL DISASTER EMERGENCY FOR THE TOWN OF JAMESTOWN, COLORADO TO CONFIRM THE AVAILABILITY AND USE OF TABOR RESERVES FOR EMERGENCY PURPOSES, AND MAKING AN APPROPRIATION THEREOF

WHEREAS, the Town of Jamestown and multiple other towns, cities, and counties along the Front Range experienced torrential rainfall and massive flooding beginning on September 11, 2013 and continuing for several days thereafter, with vast areas of public and private property inundated, public infrastructure providing water, sewer, and power temporarily cut off if not permanently destroyed, hundreds of miles of local roads and dozens of bridges damaged or destroyed, hundreds of residents dislocated and evacuated, and hundreds of homes damaged or destroyed (the "Front Range Flood"); and

WHEREAS, in response to the Front Range Flood and pursuant to the authority granted by C.R.S. § 24-33.5-709, the Mayor of the Town of Jamestown declared a state of local disaster emergency on September 12, 2013, which declaration is attached hereto as Attachment 1 and incorporated herein by this reference; and

WHEREAS, by Resolution No. 4, Series 2013, adopted September 25, 2013, the Board of Trustees of the Town of Jamestown ratified and extended until midnight on October 25, 2013 the declaration of local disaster emergency for the Town of Jamestown; and

WHEREAS, such Resolution directs that all available resources are dedicated to flood recovery; and

WHEREAS, the Board of Trustees by this Resolution desires to expressly confirm its intent and direction that included within such resources dedicated to flood recovery are those amounts of unappropriated reserves within the Town budget constituting the three percent (3%) emergency reserve required to be maintained for emergencies under the Taxpayer's Bill of Rights (TABOR), Colorado Constitution, Article X, Section 20(5); and

WHEREAS, pursuant to said section and C.R.S. Section 29-1-111, the Board of Trustees further desires to make an appropriation of such three percent (3%) emergency reserve for use for the Town's declared emergency;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. Section 3 of Resolution No. 4, Series 2013, is hereby amended to read in full as follows:

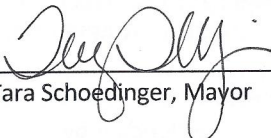
3. Independent of the date the Board terminates the declaration of local disaster emergency, in light of the magnitude of the disaster in terms of geographic area, the number of residents and properties affected, the lack of access to many affected properties given damage to the local transportation system, the damage to or destruction of public infrastructure, and the impending winter weather, all Town staff are hereby directed to dedicate all available resources to flood recovery and to prioritize flood recovery efforts over non-flood-related work for the next 45 days. Without limiting the foregoing, the Board of Trustees hereby authorizes and directs for use for the Town's declared emergency those amounts of unappropriated reserves within the Town budget constituting the three percent (3%) emergency reserve required to be maintained for emergencies under the Taxpayer's Bill of Rights (TABOR), Colorado Constitution, Article X, Section 20(5).

Section 2. The foregoing amendment to Resolution No. 4, Series 2013 is adopted effective September 25, 2013 and Resolution No. 4, Series 2013 as so amended is hereby ratified and confirmed.

Section 3. Pursuant to said provisions of TABOR and C.R.S. Section 29-1-111, there is hereby appropriated within and from the unappropriated reserves within the General Fund, for 2013 expenditures for the Town's declared emergency, the amount of \$2,691 constituting the three percent (3%) emergency reserve required under TABOR Section 20(5).

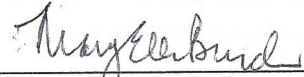
INTRODUCED, READ, and ADOPTED this 3rd day of December, 2013.

TOWN OF JAMESTOWN, COLORADO



Tara Schoedinger, Mayor

ATTEST:



Mary Ellen Burch, Town Clerk